



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF: :

MILLER, MIKE :

SERIAL NO. 10/020,739 ✓ :

FILED: 12/18/01 :

FOR: IMPROVED UNIVERSAL FORK

EXAMINER Douglas D. Watts

GROUP ART UNIT 3724

RECEIVED
AUG 28 2003
3100 MAIL ROOM

RESPONSE AND COMMENTS REGARDING THE FIRST OFFICE ACTION

I. Overview

Applicant has submitted a patent application for a novel fork. The fork was inspired by the need for a single utensil that would be compatible with modified airline utensil regulations. With the submitted fork, separate knives (that are no longer allowed on airplanes) are not needed for most food items.

Applicant has begun marketing these forks, and has had remarkable success in sales. Users of the forks immediately notice a unique benefit in that the fork cuts through food so well, as a result of the flat finger rest platform defined on the handle portion of the fork. Children are able to use this single utensil for all of their needs.

The success of sales involving the utensil, marketed as a "Knork" gives credit to the novelty of its design. The weighted handle and location of the finger platform operate to provide a single utensil that is usable by all ages. The claims have been rewritten as necessary to achieve allowance of all claims.

Claim 1, the independent claim, has included additional language that limits the placement of the finger rest platform to the handle portion of the utensil. The closest prior art, Bouchakian (U.S. Patent No. 4,771,541) has the rudimentary

concept of a flat area for a person's finger, but the location of the "tab structure" in this patent is clearly in the fork head portion, and not usable for both right and left handed persons. Further, it is asserted that the location of this finger rest platform provides optimal leverage for cutting, and provides superior benefits than the prior art listed by the examiner.

II. Amendments to Claims

Claim 1 and claim 8 have been amended. Significant limitations were added to claim 8, and additional limitations regarding the location of the finger rest platform were added to Claim 1. A clean copy of the claims is also included, followed by a marked up copy.